AP3 Rec'd PCT/PTO 17 MAY 2006

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 724615422 US	17 May 2006
Express Mail Label Number	Date of Deposit

Form PTO-1390-MOD (REV 10-96) — U. S. Department of Commerce Patent and Trademark Office

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER	
33485A	
U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	
10/579580	
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE
PCT/EP2004/012989	11 November 2004 (11.11.04)
PRIORITY DATE CLAIMED	
17 November 2003 (17.11.03)	

TITLE OF INVENTION
COMBINATION OF A DPP IV INHIBITOR AND AN ANTIOBESITY OR APPETITE REGULATING AGENT

APPLICANT(S) FOR DO/EO/US
DAVID GRENVILLE HOLMES

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
   a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☒ has been transmitted by the International Bureau. (See Form PCT/IB/308)
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C.371(c)(3)).
   a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☐ have been transmitted by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A FIRST preliminary amendment.
    ☐ A SECOND or SUBSEQUENT preliminary amendment.

14. ☒ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☐ A change of power of attorney and/or address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter*.2 and 37 CFR 1.821-1.825.

18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).

20. ☒ Other items or information: Unexecuted Declaration, Post Card

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/579580	PCT/EP2004/012989	33485A

The following fees are submitted:		CALCULATIONS PTO USE ONLY
21. ☒ Basic national fee	$300	
22. Examination Fee ☐ If International preliminary examination report was prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	$	
☒ All other situations	$200	
23. Search fee ☐ If Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	$	
☒ If International Search Report was prepared and provided to the Office	$400	
☐ All other situations	$	
TOTAL OF 21, 22 AND 23 =		$ 900

Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is **$250** for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra sheets		Number of each additional 50 or fraction thereof (round **up** to a whole number)	RATE	
38 - 100 =		/50 =	0	X $ 250	$

Surcharge of **$130** for furnishing the oath of declaration later than ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). $

CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE	
Total claims	13	- 20 =	0	X $ 50	$
Independent claims	2	- 3 =	0	X $ 200	$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ $ 360	$
			TOTAL OF ABOVE CALCULATIONS =		$ **900**
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).					$
			SUBTOTAL =		$ **900**
Processing fee of **$130** for furnishing the English translation later than ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	$
			TOTAL NATIONAL FEE =		$ **900**
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40** per property				+	$
			TOTAL FEES ENCLOSED =		$ **900**
				Amount to be: refunded	$
				charged	$

a. ☐ A check in the amount of $_____ to cover the above fees is enclosed.

b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of $900 to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to the address associated with Customer No. 001095, which is currently:

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